

## NATURAL RESOURCES BOARD AGENDA ITEM

Item No. \_\_\_\_\_

**SUBJECT:** Adoption of Board Order WT-44-05

**FOR:** JUNE 2006 **BOARD MEETING**

**TO BE PRESENTED BY:** Russ Rasmussen, Director - Bureau of Watershed Management

**SUMMARY:**

Outstanding and Exceptional Resource Waters (O/ERW) are listed in s. NR 102.10 and NR 102.11, respectively, and are waters which are characterized as being important from various viewpoints especially as they relate to their fishery, hydrology, water quality, and recreational value. The initial listing of O/ERW river segments was published in 1988 and updates to the list were made in 1989, 1993, and 1998.

This revision to Outstanding and Exceptional Resource Waters was prompted by an August 2004 Petition to the Natural Resources Board from various conservation organizations. The petition, filed under the authority of Ch. 227.12(1), Stats. requested that the Department designate 100 water segments as Outstanding or Exceptional. Department staff evaluated available information pertaining to the segments in the petition and recommends a designation of "Outstanding" for 63 discrete segments of 38 Northern Wisconsin rivers. Staff also recommends a designation of "Exceptional" for 18 discrete segments on 7 rivers. These proposed changes to the list of O/ERWs address the request of the petitioners. Please refer to the attached Background Memo for a detailed listing of the rivers that were included in the August 2004 Petition and the specific recommendation to be considered.

Various interest groups may be affected by these revisions. Many conservation organizations believe designating additional waters as Outstanding or Exceptional will result in more appropriate protect of water quality which could in turn have a positive impact on the tourism economy of the affected counties - an economy valued at nearly \$1.7 billion in Calendar Year 2005. From another perspective, segments designated as O/ERW are considered "Areas of Special Natural Resource Interest" as part of Act 118 and in some cases may preclude developers and shoreland property owners from utilizing exemptions from permits for certain activities that may modify the shoreline or nearshore environment

**RECOMMENDATION:** Adoption of the proposed changes to ch. NR 102.10 and NR 102.11 as they related to Outstanding and Exceptional Resource Waters, respectively.

**LIST OF ATTACHED MATERIALS:**

|    |                                     |   |     |                                     |          |
|----|-------------------------------------|---|-----|-------------------------------------|----------|
| No | <input type="checkbox"/>            | Fiscal Estimate Required                              | Yes | <input checked="" type="checkbox"/> | Attached |
| No | <input checked="" type="checkbox"/> | Environmental Assessment or Impact Statement Required | Yes | <input type="checkbox"/>            | Attached |
| No | <input type="checkbox"/>            | Background Memo                                       | Yes | <input checked="" type="checkbox"/> | Attached |

**APPROVED:**

\_\_\_\_\_  
Bureau Director,

\_\_\_\_\_  
Date

\_\_\_\_\_  
Administrator,

\_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary, Scott Hassett

\_\_\_\_\_  
Date

cc: Amy J. Lemberger - AD/5

Russ Rasmussen - WT/2

Chuck Hammer - LS/5

Tom Jerow - NOR/Rhineland

## STAFF REVIEW - DNR BOARD AGENDA ITEM

### REMINDER

Have the following questions been answered under the summary section of this form?

- Why is the rule needed?
- What are the significant changes?
- What are the key issues/controversies?
- What was the last action of the Board?

### LIST OF ATTACHED REFERENCE MATERIAL REQUIRED FOR RULE PROPOSALS:

Hearing authorization:

Final adoption:

Background Memo (if needed)\*

Fiscal Estimate

Environmental Assessment (if needed)

Rule

Background Memo (if needed)\*

Response Summary

Fiscal Estimate

Environmental Assessment (if needed)

Rule

\* If all the questions listed in the REMINDER section above can be adequately summarized on the Green Sheet (and a second sheet if needed), the Background Memo may be omitted.

| Unit  | Reviewer | Date | Comments |
|---|----------|------|----------|
| Environmental<br>Analysis and<br>Review                 |          |      |          |
| Management<br>and Budget                                |          |      |          |
| Legal Services<br>-Program<br>Attorney<br>-Carol Turner |          |      |          |
| Other<br>(if applicable)                                |          |      |          |